

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

We verily believe we are the original, first, and joint inventors or discoverers of the subject matter entitled *Insulin-Like Growth Factor System and Cancer* described and claimed in U.S. Patent Application Serial No. 09/484,903 (insert when known), filed January 18, 2000.

We have reviewed and understand the contents of the above-identified specification, including the claims.

We hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

First foreign application, priority of which is claimed:


_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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We hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application.

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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All statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WE ACKNOWLEDGE OUR DUTY TO DISCLOSE TO THE U.S. PATENT AND TRADEMARK OFFICE ALL INFORMATION KNOWN TO US TO BE MATERIAL TO PATENTABILITY AS DEFINED IN 37 C.F.R. §1.56.

Signature   
Name: M. Javad Khosravi  
Date Feb 3, 2000 Citizenship: CA  
Postal Ontario, Canada  
Address 5 Ridgefield Rd.  
Toronto, Ontario Canada M4N-3H7

Signature   
Name: Anastasia Diamandi  
Date Feb 3, 2000 Citizenship: CA  
Postal Ontario, Canada  
Address 44 Gerrard St. West #1504  
Toronto, Ontario, Canada M5G-2K2

Signature *Jehangir Mistry*  
Name: Jehangir Mistry  
Date 1/21/00 Citizenship: US  
Postal League City, Texas  
Address 2001 Dawn Crest Ct.  
League City, Texas 77573

2001/01/21 10:00 AM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: §  
J. M. KHOSRAVI et al. § Group Art Unit: 1643  
Serial No.: 09/484,903 § Examiner: To Be Assigned  
Filed: January 18, 2000 § HNB Attorney Docket No.  
For: INSULIN-LIKE GROWTH FACTOR § 28758.25  
SYSTEM AND CANCER §

**POWER OF ATTORNEY**

Assistant Commissioner For Patents  
Washington, D. C. 20231

Sir:

The undersigned assignee of the above-identified application hereby appoints the following attorneys with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent Office connected therewith.

I appoint the following attorneys and/or agents:

Jeffrey M. Becker	Reg. No. 35,442	Warren B. Kice	Reg. No. 22,732
J.R. Bell	Reg. No. 26,528	Michael Balconi-Lamica	Reg. No. 34,291
Michael S. Bush	Reg. No. 31,745	Todd Mattingly	Reg. No. 40,298
Randall E. Colson	Reg. No. 40,566	David L. McCombs	Reg. No. 32,271
Michael A. Davis, Jr.	Reg. No. 35,488	David M. O'Dell	Reg. No. 42,044
Tim Headley	Reg. No. 31,765	Brandi W. Sarfatis	Reg. No. 37,713
Rita M. Irani	Reg. No. 31,028		

I request that all correspondence be directed to:

Tim Headley  
HAYNES AND BOONE, L.L.P.  
1000 Louisiana Street, Suite 4300  
Houston, Texas 77002-5012

Telephone inquiries may be directed to Tim Headley at 713-547-2040.

All powers of attorney heretofore given are hereby revoked.

Respectfully submitted,

DIAGNOSTIC SYSTEMS LABORATORIES, INC.

By:

  
Gopal Savjani

President

445 Medical Center Boulevard

Webster, Texas 77598-4217

Date: May 9<sup>th</sup>, 2000

HAYNES AND BOONE, L.L.P.  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214 651-  
Facsimile: 214/651-5940

File: 28758.25

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231

on

June 5, 2000

Vikki Meriwether

Vikki Meriwether

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	§	
Khosravi et al.	§	
	§	Examiner: A. Holleran
Serial No: 09/484,903	§	
	§	Art Unit: 1642
Filed: January 18, 2000	§	
	§	
For: INSULIN-LIKE GROWTH FACTOR	§	
SYSTEM AND CANCER	§	

**ASSOCIATE POWER OF ATTORNEY**

Commissioner For Patents  
Washington, D. C. 20231

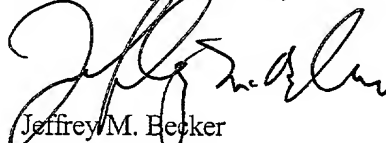
Sir:

The undersigned principal Attorney of Record for the above-identified application, hereby appoints Brian J. Hubbard, Registration No. 45,873, as an associate attorney with full power of substitution and revocation to prosecute this application and to transact all business in the U. S. Patent and Trademark Office connected therewith, and requests that all correspondence be directed to:

**BRIAN J. HUBBARD**  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789

Telephone inquiries may be directed to Brian J. Hubbard at 214-651-5058.

Respectfully submitted,

  
Jeffrey M. Becker  
Registration No. 32,271

Date: 4/11/01

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File: 28758.25  
d.849851.1

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**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c)) – SMALL BUSINESS CONCERN**

Docket Number (Optional)  
33267.00025USPT

Applicant, Patentee, or Identifier: Khosravi, et al.

Application or Patent No.: 09/484,903 (insert when known)

Filed or Issued: January 18, 2000

Title: Insulin-Like Growth Factor System and Cancer

I hereby state that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Diagnostic Systems Laboratories, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 445 Medical Center Blvd., Webster, TX 77598-4217

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Gopal Saviani

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 445 Medical Center Blvd., Webster, TX 77598-4217

SIGNATURE [Signature]

DATE 2-16-00